



August 7, 2020

Via electronic filing

C. Joanne Wessinger-Hill, Esq.
Hearing Officer
Public Service Commission of South Carolina
101 Executive Center Dr. Suite 100
Columbia, South Carolina 29210

Re: Docket No. 2019-226-E South Carolina Energy Freedom Act (House Bill 3659) Proceeding Related to S.C. Code Ann. Section 58-37-40 and Integrated Resource Plans for Dominion Energy South Carolina, Inc.

Dear Ms. Wessinger-Hill,

On behalf of the Sierra Club, we are writing to express our concerns with the impacts that Dominion Energy South Carolina, Inc. (“DESC”) request for a two week extension to file its rebuttal testimony will have on the remaining schedule leading up to the hearing date. While we do not oppose DESC’s two week extension, since they are addressing additional scenarios and adjusting certain assumptions that were recommended by ORS and other parties, certain conditions must be put in place to avoid any adverse impacts to the parties.

As currently requested, DESC requests that its rebuttal testimony be due on August 28, 2020 and a similar two-week extension be granted for sur-rebuttal testimony, with a new date of September 18, 2020. In order for the parties to adequately prepare to file sur-rebuttal testimony in response to what could be a massive overhaul of DESC’s IRP (since they will be modeling 140 individual planning scenarios), Sierra Club requests that DESC be required to serve all parties with its workpapers and supporting documents related to its updated analysis and rebuttal testimony within one business day of filing its rebuttal testimony, by Monday August 31, 2020, in order to give the parties adequate time to review the materials, determine if additional discovery is required and file its sur-rebuttal testimony by September 18, 2020.

In addition, to the extent that parties need to conduct any additional discovery on DESC’s revised IRP and modeling analysis, we request the Commission to shorten the time parties have to respond to discovery from twenty (20) days to seven (7) days under R.103-833 of the South Carolina Code of Regulations. We believe there is good cause to shorten the discovery response time due to the three week difference between the filing of the rebuttal and sur-rebuttal testimony. Shortening the discovery response time will ensure that all parties and the Commission have the information it needs to adequately assess the revised IRP and its analysis.

Lastly, we urge the Commission to set a date certain for the DESC IRP hearing especially in light of DESC's request to extend the rebuttal testimony filing date. If DESC's request is granted, the hearing (as currently scheduled) will take place just three days after the parties have filed sur-rebuttal testimony. Since we do not know the breadth or scope of the revisions DESC will make to the IRP, it is impossible to gauge the impacts that will have on not only preparing our sur-rebuttal testimony but also preparing for the hearing. If the hearing were to be held on September 21, all parties (including DESC who will only have two days to review the sur-rebuttal testimony) will not only be at a disadvantage due to the condensed timeline, but questions that might have been answered through discovery, will likely have to be done on cross-examination due to the limited time to conduct discovery between the filing of DESC's rebuttal and our sur-rebuttal. This could make the hearing less efficient and take longer than if we had adequate time to prepare. Therefore, we request that the Commission allow the parties to release the week of September 21 from our calendars, so the hearing can proceed in October.

We respectfully request that the Commission (1) require DESC to serve the parties with its workpapers and supporting documents for its updated analysis and rebuttal testimony by Monday August 31; (2) shorten the discovery response time to seven days; and (3) set a date certain for the hearing as soon as possible so all parties can plan accordingly.

Thank you for your time and please contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dorothy Jaffe', written over a horizontal line.

Dorothy Jaffe (admitted pro hac vice)
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